



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/623,027	07/17/2003	Attila Grauzer	PA0897.ap.US	4463

7590

11/30/2005

Mark A. Litman & Associates, P.A.
Suite 205
York Business Center
3209 West 76th St.
Edina, MN 55435

EXAMINER

NGUYEN, KIM T

ART UNIT

PAPER NUMBER

3713

DATE MAILED: 11/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

6

Office Action Summary	Application No. 10/623,027	Applicant(s) GRAUZER ET AL.	
	Examiner Kim T. Nguyen	Art Unit 3713	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 September 2005.
 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
 4a) Of the above claim(s) 27 and 34 is/are withdrawn from consideration.
 5) ☐ Claim(s) _____ is/are allowed.
 6) ☒ Claim(s) 1-26, 28-33 and 35-37 is/are rejected.
 7) ☐ Claim(s) _____ is/are objected to.
 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>8/30/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Examiner acknowledges receipt of the amendment on 9/19/05. According to the amendment, claims 35-37 have been added, and claims 1-37 are pending in the application.

Claim Objections

1. Claims 2 and 24 are objected to because of the following informalities:
 - a) In claim 2, line 2, the claimed limitation "a dealer" should be corrected to "**the** dealer".
 - b) In claim 24, line 11, the claimed limitation "signals" should be corrected to "**the** signals".

Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 23 and 28-33 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
 - a) In claim 23, lines 1-2, the claimed limitation "hands placed in the discard rack are reconciled with known hands" is ambiguous. It is not clear if the "hands" implies

the “exhausted hands” in claim 1, line 14, or the “hands of the dealer” or the “hands of the players”. Further, what does the “known hands” means?

b) In claim 28, line 2, the claimed limitation “card(s)” is ambiguous. It is not clear if the “card(s)” should be read as “card” or “cards”.

c) In claim 29, lines 1-2; claim 30, lines 1-2; and claim 31, lines 1-2, the claimed limitation “hands of each player position are identified by an anchor reference” is not previously presented in claim 24 or claim 25 or claim 26, respectively. Further, the claimed limitation “the player position” in line 3 of claims 29-31 lacks of antecedent basis.

d) In claim 32, the claimed limitation “completion of dealing card cards ... to a dealer” is not previously presented in claim 24.

e) Claim 33 is rejected as being dependent on the rejected base claim.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 1-23 and 35-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over McCrea, Jr. (US patent No. 5,605,334) in view of Meissener et al (US 5,779,546), Mothwurf (US 5,919,090) and Soltys et al (US 2003/0173737).**

As per claim 1, McCrea discloses a method for determining an identity of a card in card hands at a casino table card game comprising automatically reading rank and suit of each card and dealing hands to a player (col. 3, lines 14-23); removing exhausted hands from the table and placing the exhausted hands in a discard rack; reading each card placed in the discard rack (col. 10, lines 5-6 and 25-28; and col. 7, lines 14-17); and reconciling the cards placed in the discard rack with the dealt cards (col. 3, lines 27-28; col. 7, lines 29-33; and col. 10, lines 30-31). McCrea does not explicitly disclose providing a signal of a completion hand and dealing additional cards to the players. However, Meissener discloses providing a signal of the completion hand to the game control by manually activating a button by the dealer (col. 7, lines 43-46); and Mothwurf discloses providing a signal of the completion hand to the game control by automatically signaling resulting from sensing of a card (col. 6, lines 41-49; and col. 10, lines 4-9 and 26-28). Further, Soltys discloses dealing additional cards to the hands (paragraph 0086). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide manually or automatically a signal of the completion hand to the processor as taught by Meissener and Mothwurf and to deal additional cards to the hand of the player in McCrea as taught by Soltys in order to indicate to the system that the hand is reached to a state and to allow the player to obtain additional cards until he reaches a limit.

As per claim 2, Soltys discloses dealing card to a dealer (paragraph 0077). Further, Mothwurf discloses automatically signaling resulting from sensing of a card at the dealer cards' position (col. 10, lines 4-9; and col. 6, lines 42-49).

As per claim 3-5, refer to discussion in claim 1 above. Further, providing a signal when the dealer receives a first card or a complete hand would have been obvious design choice.

As per claim 6-10 and 35, Soltys discloses counting a number of active player positions (paragraphs 0076, 0079, and 0082). Further, using different methods for calculating a number of player active positions would have been obvious matter of design choice depending on specific information provided.

As per claim 11-17, 20-23 and 36-37, refer to discussion in claim 1 above.

As per claim 18-19, Soltys discloses determining initial hand for each player position (paragraph 0083).

6. Claims 24-26 and 28-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over McCrea, Jr. (US patent No. 5,605,334) in view of Mothwurf (US 5,919,090).

As per claim 24, McCrea discloses a system for determining a hand of cards in a casino table game comprising a card delivery device that reads rank and suit of cards delivered to a hand position and sends first signals of the suit and rank of the hand to the processor (col. 6, lines 46-50); a card discard tray that reads the rank and suit of each card delivered to the discard tray and sends second signals of the suit and rank to the processor (col. 7, lines 8-16 and 25-28). McCrea does not explicitly disclose automatically providing a signal to the processor that the dealing of hand has been completed and identifying individual hands based on comparison of the first and second signals. However, since McCrea discloses identifying individual hands (col. 8,

lines 14-15) and comparing the first and second signals (col. 7, lines 29-32). McCrea obviously discloses identifying individual hands using the results of the comparison of the first and second signals from the dealing device and the discard tray in order to facilitate determining a winning hand. Further, Mothwurf discloses automatically providing a signal to the processor indicating a completion of a hand (col. 10, lines 4-9 and 26-28; and col. 6, lines 45-49). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide automatically a signal of the completion hand to the processor as taught by Mothwurf to the card game of McCrea in order to indicate to the system that the hand is reached to a specific state.

As per claim 25, refer to discussion in claim 1 above.

As per claim 26, since McCrea discloses determining whether the dealer has 21 when the dealer receives a card (col. 9, lines 32-33), McCrea obviously discloses automatically indicating when a dealer has received a card.

As per claim 28, McCrea discloses a sensor for sensing dealer card (col. 16, lines 51-54).

As per claim 29-31, McCrea discloses identifying the cards received at the player position (col. 11, lines 29-30).

As per claim 32-33, using a dealer's signal from a sensor for identifying completion of dealing cards to players and a possibility of providing additional cards to a dealer would have been well known to a person of ordinary skill in the art at the time the invention was made.

Response to Arguments

7. Applicant's arguments filed on 9/19/05 have been considered but are moot in view of the new ground(s) of rejection.

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, THIS ACTION IS MADE FINAL. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action. Any response to this final action should be mailed to:

Box AF

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Or faxed to:

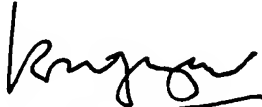
(703) 872-9306, (for formal communications; please mark
"EXPEDITED PROCEDURE")

Hand-delivered responses should be brought to Crystal Plaza II,
Arlington, VA Second Floor (Receptionist).

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kim Nguyen whose telephone number is (571) 272-4441. The examiner can normally be reached on Monday-Thursday from 8:30AM to 5:00PM ET.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Xuan Thai, can be reached on (571) 272-7147. The central official fax number is (571) 273-8300.

kn
Date: November 23, 2005



Kim Nguyen
Primary Examiner
Art Unit 3713